

REMARKS

Applicants' respectfully request reexamination and reconsideration of the application in view of the following remarks.

Claims 1, 5, 16, and 45 have been amended.

Claims 9 and 38 have been canceled.

Claims 2, 3, 7, 8, 10, 11, 19, 20, 26, 27, 40, 41, 42, 46, and 47 are original.

Claims 4, 21, 22, 36, 27, 39, 43, 44, 48, and 49 have been previously amended.

Claims 6, 12, 13, 14, 15, 17, 18, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, and 50 have been previously canceled.

The Examiner has rejected claims 1-5, 7-11, 16, 19-22, 26, 27, and 36-49 under 35 USC §112 stating that the claims contain subject matter not described in the specification.

Applicant respectfully traverses the rejection and requests that the Examiner withdraw the rejection in view of the following remarks.

The claims as amended claim to contain at least 40 percent solids by weight which is set forth in the specification at page 8, beginning on line 13.

The Examiner has rejected claims 1-5, 7-11, 16, 19-22, 26, 27, and 36-49 under 35 USC §112 stating that the claims contain subject matter not described in the specification.

Applicant respectfully traverses the rejection and requests that the Examiner withdraw the rejection in view of the following remarks.

The physical characteristics of the invention as described in the text would seem to support

Applicants' claims that the cohesive force of the film particles is greater than the adhesive force between the film and substrate; however, the claims have been amended to delete that portion of the claim in order to place the application in better condition for allowance.

The Examiner has rejected claims 1-5, 7-11, 16, 19-22, 26, 27, and 36-49 under 35 USC §103(a) as being unpatentable over Duan et al., (U.S. Patent 5,608,000).

Applicant respectfully traverses the rejection and requests that the Examiner withdraw the rejection in view of the following remarks.

In addition, to Applicants' arguments and remarks set forth in Applicants' response to prior office actions for the above-identified application, Applicant has amended the claims to claim that the aqueous polyurethane dispersion resin particles are dispersed and applied to a substrate in a single layer which upon curing provides a nonsoluble water resistant film. The cited Duan et al. reference emphasizes that its urethane is applied in layer and used to adhere to separate substrates one to another as an adhesive. Applicants' claimed invention exhibits a smooth outer surface and is applied to a substrate as a coating and dries through curing having a smooth exterior surface.

Applicants' claimed invention does not utilize the aggressive solvents taught in the cited reference such as NMP, DPMA, or acetone as set forth at column 3, lines 64-66 of the reference. These types of solvents are known as "internal solvents" when used as described in the reference for the solvents are added during the polyurethane dispersion during manufacture of same. The Examiner alleges that Duan et al. discloses aqueous polyurethane dispersion used in making polyurethane coatings in the presence of solvent; however, the Duan reference teaches making adhesives, not coatings. There are fundamental differences between the adhesives taught by Duan and Applicants coating product. Most obvious is the fact that adhesives have to be sticky on both sides. It must stick to the surface (first substrate) to which it is applied and still maintain a sticky surface to adhere to another surface (second substrate) subsequently applied thereto. Coatings can only be sticky to a

single surface or substrate.

It is also noted that the Duan reference teaches blending of the PUD at elevated temperature, wherein Applicants' product can be applied at ambient temperature and requires no heat for curing. Applicant's invention is not used for laminating operations requiring an activation temperature of over 200 degrees F for bonding polymers such as polypropylene foam to polyvinyl chloride as suggested at column 5, line 40 of the cited reference.

Duan's reference teaches how to make PUD through a reaction process, as set forth in claims 1 and 13 as "reaction products". Applicants the use of PUD as a fully-cured ingredient in the invention as claimed and chemical reaction are not involved in the curing process which is dependent on the evaporation of the solvent.

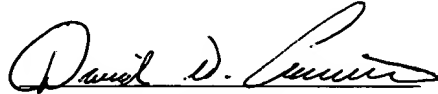
Applicant notes that the Duan reference teaches making a polyurethane dispersion having solids contents ranging from 31 to 32.6 percent as set forth at column 6, line 62; column 7, line 28; column 7, line 56; column 8, line 62; and column 11, line 27. As amended, all of Applicants' claims contain a polyurethane dispersion having solids contents of at least 40 percent by weight.

Moreover, Applicant's peelable composition upon curing forms a coating composition having a smooth surface and is peelable due to the internal cohesion of the peelable coating resin particles is greater than the adhesion of the peelable coating to the surface of the coated substrate which is due to the use of Applicants' release agents contrary to the teachings of Duan utilizing the PUD as an adhesive.

For all of the foregoing reasons, Applicant submits that the claims are patentable over the cited references and that the application is in condition for allowance. Accordingly, Applicant respectfully requests prompt reconsideration and receipt of the formal Notice of Allowance.

Counsel has authorized a charge to Deposit Account 50-0642 as payment for the Petition requesting an Extension of Time. If the Examiner believes there are other unresolved issues in this case, Applicant's attorney would appreciate a telephone call at (502) 452-1233 to discuss any such remaining issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David W. Carrithers", written in a cursive style.

David W. Carrithers
CARRITHERS LAW OFFICE, PLLC
One Paragon Centre
6060 Dutchman's Lane, Suite 140
Louisville, KY 40205
Telephone (502) 452-1233
Reg. No. 35,475